IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 903 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BAI AMBABEN W/OBHAGWANDAS

Versus

STATE OF GUJARAT &ORS.

Appearance:

MR SK BUKHARI for Petitioner

MR HL JANI, APP for Respondent No. 1-State.

NOTICE UNSERVED for Respondent No. 2, 3

CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 13/10/2000

ORAL JUDGEMENT

This petition is directed against the order passed by the Sub Divisional Magistrate, Choryasi Prant, Surat, in MAG Case No.1/93, whereby the learned Sub Divisional Magistrate, Choryasi Prant, Surat, directed to

place seal on the house No.6/1100, belonging to the petitioner. Prior to the filing of this petition, the petitioner had challenged the show cause notice by way of filing Special Criminal Application No.1727 of 1993 in this Court, but it came to be rejected on the ground that the same has been filed at an interlocutory stage. The impugned order was passed in the year 1993 and no interim relief against the said order has been granted in favour of the petitioner till today. In view of the aforesaid facts and circumstances of the case and looking to the fact that the seal was ordered to be placed for a period of one year, but after placing the seal on the disputed premises about 10 years have been passed and, therefore, this petition has become infructuous and hence, this petition disposed of accordingly. Rule discharged.

16-10-2000 (R.P.Dholakia, J.)

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